Migration Update
March 2023

Wilfried **Martens Centre**
for European Studies

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The purpose of these news summaries is to provide a factual base for migration debates within the European centre-right. *Vít Novotný* is responsible for the selection of information items from the media, governments and social media. The value of these summaries is in the categorisation of information items and in listing those items that readers might have missed. Facts and opinions are conveyed as they are reported. Original comments are kept to a minimum. These news summaries are not subject to a formal editorial process. Rick Slootweg drafted the case for the Judicial Observatory. Alejandro Puigrefagut prepared material on Estonia's parliamentary election. Claudia Masi contributed several news items. Should you have any questions or comments, please contact Vít Novotný at *vn@martenscentre.eu.*

- In 2022, 881,200 first-time asylum applicants (non-EU citizens) **applied for international protection** in EU countries, up by 64% compared with 2021.
- On 31 December 2022, 3,826,600 non-EU citizens were benefitting from **temporary protection** in the EU.

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LABOUR MIGRATION

According to the *EU Observer*, EU member states in the south and east of Europe continue acting as source countries of **health care workers**. For example, between 2010 and 2018, some **14,000 doctors left Romania**, more than a quarter of all Romanian doctors. [In many places in Europe], there is 'more need of care and fewer people to provide this care'.

- Germany… is on the receiving end. While in 2013 the share of foreign — mainly EU — nurses in the **German nursing workforces** was at 5.8 percent

this number doubled to a **current 11 percent**, with an absolute number of 200,000 non-German nurses working in the formal German health care system. 43 percent of these are coming from other EU member states and 17.5 percent from the Western Balkan countries.
- The **Dutch** Advisory Committee on Immigration Affairs advised the cabinet to make efforts to attract labour migrants from outside the EU. One recommendation is to recruit health care staff from Indonesia.
  - In **Indonesia**, the number of doctors per thousand inhabitants is 0.5, which puts the country at the bottom of the list of density of doctors per capita worldwide.
- **Serbia** has "cancelled" German government recruitment programmes for nurses… In addition, the Serbian government is actively pursuing **legal action against healthcare companies** that 'illegally recruit nursing staff in Serbia'.

The **Swedish** government is continuing to restrict certain aspects of immigration legislation, such as on **family immigration**. However, it clarified that "there are no proposals to restrict researchers' family members from coming to Sweden or otherwise make things worse for them…. The government's ambition to strengthen Sweden's attractiveness among researchers, doctoral students **and highly qualified labour** is in fact higher than ever before."

PEOPLE FLEEING UKRAINE

In 2022, the EU members granted **4,331,200 temporary protection statuses** to non-EU citizens fleeing Ukraine due to Russia's invasion. On 31 December 2022, **3,826,600 non-EU citizens benefitted from temporary protection in the EU**. The difference between the two previous figures corresponds to the termination of the temporary protection status because former beneficiaries of temporary protection meanwhile left the country or obtained another status.

The EUAA published a report *Providing Temporary Protection to Displaced Persons from Ukraine: A Year in Review*. From the findings:
- In accordance with Article 7 of the Temporary Protection Directive, member states may also apply this decision to other persons, including to stateless persons and **nationals of third countries** other than Ukraine who were residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin.
  - This provision was implemented in more than two-thirds of member states, namely Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Finland, France, Germany, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia and Spain.
  - [This implies that Denmark, Estonia, Greece, Hungary, Italy and Sweden did not extend temporary protection to non-Ukrainians.]
- Registration for temporary protection **varies** across EU+ countries in terms of the responsible authority, the documentation issued and processing times. Similarly, beneficiaries for temporary protection may receive various levels of rights and benefits.

- One-stop service points for registration and services became 'the new norm' across many member states.
- Preparedness measures were developed to address possible increased flows throughout 2022–2023.
- Dedicated platforms on job opportunities were launched in Czechia, Denmark, Estonia, Finland, France, Italy, Latvia, Lithuania, Luxembourg, Poland, Portugal and Slovakia.
- Currently, decision-making on **applications for international protection** lodged by Ukrainian nationals who have been granted temporary protection remains **suspended** in Austria, Belgium, Denmark, Finland, Germany, Iceland, Latvia, the Netherlands and Slovenia. In contrast, applications for international protection are still examined in Croatia, Greece, Hungary, Poland, Portugal, Slovakia and, recently resumed, in France.
- In general, the activation of the Temporary Protection Directive resulted in different standards for procedural arrangements and rights between beneficiaries of temporary and beneficiaries of international protection.

From 1 March, Ukrainian refugees who stay in **Poland** for more than 120 days and live in common housing facilities have to cover half of their accommodation costs with a cap of 40 zlotys (€8.50) per day. Refugees will have to cover 75% of their accommodation costs from May onwards if they stay in Poland for longer than 180 days. This will be capped at 60 zlotys (€12.73) per day.

- On top of accommodation, refugees benefit from other state-funded benefits, including free public transport and healthcare, as well as many of the social welfare benefits that are available for Polish citizens, including a monthly child benefit of 500 zlotys (€107). These will not be impacted.
- In 2022, Poland spent about **€8.36 billion on Ukrainian refugees**, according to the OECD's Migration Outlook for 2022, cited by the Polish government. Poland thus spent the most on Ukrainian refugees, with **funds totalling one-third of the overall spending by all countries**.

According to **Standard Eurobarometer** No.98, the large majority of respondents (at least 7 in 10) in all member states agree **with the EU's welcoming into the EU of people fleeing the war.** The highest support was recorded in the Netherlands, Denmark and Finland (97 to 98% in favour); the lowest in Romania, Czechia and Bulgaria (72 to 73% in favour).

ASYLUM AND RECEPTION

According to Eurostat, in 2022, 881,200 first-time asylum applicants (non-EU citizens) applied for international protection in EU countries, up by 64% compared with 2021 (537,400). After a considerable drop in 2020 (417,100), the numbers increased for two consecutive years but still have not reached the peaks registered in 2015 and 2016 (over 1 million applicants in both years) related to the war in Syria.

- Syrian, Afghan, Venezuelan and Turkish were the main citizenships of first-time asylum applicants.
- One-quarter of EU asylum applications were made in Germany.
- Highest number of first-time asylum applicants relative to the population in Cyprus.

- [This information complements asylum data for 2022, released earlier by the EUAA.]

Belgium is boosting its asylum capacity. About 700 new reception places will be created using shipping containers. The government has committed to creating an additional 2,000 reception places on top of the existing capacity of 38,000 places, and the 65,000 Ukrainian refugees currently in the country. This goes hand in hand with a commitment to increase the personnel capacity for **repatriations** and with **tightening family reunification** rules.

The **Bavarian village** of Peutenhausen with 650 inhabitants has announced that after several cases of burglary and sexual harassment of women, it will longer take in migrants. The mayor has terminated the contracts for the two shelters, which will expire in 2024. After an outburst of generosity in 2015, the helpers' circle disbanded. Now there is no one who can or wants to help. "It was always meant as initial help until a government agency created infrastructure. But that never happened."

The **Dutch government** is compensating the lack of reception capacities by renting river cruise boats, and two large capacity ferries. This is following the example of Estonia having accommodated Ukrainian refugees on ships.

- To avoid overcrowding and asylum seekers sleeping rough (as happened in 2022), the Dutch government has devised a **system of distribution among the country's 344 municipalities**. "First voluntary - local authorities making places available receive a financial incentive - then compulsory, if the appeal for goodwill is not enough to reach the target."

According to the *EU Observer*, since December 2022, the Netherlands and several other countries have been **unable to return migrants to Italy** under the Dublin rules. "The reason, as far as we understand right now, is that the Italians have a lack of reception capacities," an EU diplomat told reporters.

VISA POLICY

In what it called "serious abuse" of EU visa policy, the Swedish EU presidency warned that numbers of people **claiming asylum** after arriving to Europe **from visa-free countries** were on the rise, *EU Observer* reports.

- Around **190,000 people did so in 2022** [23% of first-time asylum applications in that year] — more than twice the figure in 2021, Sweden noted in an internal memo dated 14 March. "The most common nationalities were Venezuela (51,000), Colombia (43,000) and Georgia (29,000)", it said. Asylum-rejection rates from all three countries were well **over 90 percent**, and "these asylum applications were to a large extent unfounded….The visa-free regime can be suspended on the basis of a substantial increase of asylum application."
- Sweden said there should be better "visa profiling" to sort "bona fide travellers" from "persons who may in fact aim not to return to the third country but to apply for asylum".
- The EU has visa-free deals in place with 61 countries.

AFRICA

On 2 March, **Morocco** and the EU signed five cooperation programmes on social protection, green transition, public administration reform, **migration management**, and financial inclusion. The reform projects covered amount to €624 million.

- The 'addressing irregular migration' programme is worth €152 million. It aims to strengthen Morocco's border management actions in the fight against smuggling networks, the National Strategy of Morocco on Immigration and Asylum, as well as the voluntary return and the reintegration of migrants to their countries of origin.

Following an incendiary speech by **Tunisian** President Kaïs Saïed in February, Tunisian and sub-Saharan associations have recorded many cases of migrants being **evicted from their homes**. These evictions were precipitated by the strict application of a 2004 law that obliges owners to apply for a residence permit and to report to the police station that they are housing a foreigner, on pain of punishment. Some migrants are subject to forced returns.

- Others are registering for voluntary repatriation.
- Facing attacks, arrest and discrimination, sub-Saharan African migrants are fleeing the country as a government crackdown on illegal immigration spirals into **vigilante violence** against black people. Countries including the **Ivory Coast, Mali and Guinea** have begun airlifting citizens out.
- Some 21 000 sub-Saharan Africans are officially registered in Tunisia. [The numbers of undocumented migrants are likely to be much higher.]
- The African Union denounced Saied's remarks. It has cancelled a conference it was scheduled to hold in Tunisia this month. The World Bank has suspended talks about future projects in Tunisia.

BORDER MANAGEMENT

On 7 March, the **renewed Schengen Information Systems** entered into operation. The upgraded features include:

- Enhanced information sharing and cooperation: New categories of alerts and more data will be shared through SIS.
- New possibilities to locate and identify persons sought and strengthen external border controls: In addition to photographs and fingerprints, SIS will contain new types of biometrics (such as palm prints, fingermarks and palmmarks, as well as DNA records – but only in relation to missing persons).
- Additional tools to combat criminality and terrorism. For example, identification documents and information about the car that they are using will be stored in SIS.
- Additional tools to protect missing and vulnerable persons.
- Additional tools to prevent and deter irregular migration: Return decisions will be part of the information shared in the system to improve the effective enforcement of these decisions. Member States will be required **to create an alert in SIS each time they issue a return decision** on a third-country national with no legal right to stay in the EU, allowing them to actively follow

up whether the returnee effectively leaves the EU territory. It will pave the way for **mutual recognition of return decisions** between Member States.
- Enhanced use of SIS by EU Agencies.
- As of 7 March, the renewed SIS became operational in 30 countries (26 EU Member States and the Schengen associated countries). The connection of Cyprus to SIS in summer 2023 will further extend security cooperation throughout the entire Union.

The unprecedented migrant pressure towards **Bulgaria** has increased by 30% since the beginning of the year, according to the BNR. 'A very small number of attempts for illegal entry are successful', according to caretaker Minister of Interior Ivan Demerdzhiev. In 2022, the Bulgarian authorities **prevented 190,000 people from illegally crossing** the border with Türkiye. Demerdzhiev said that negotiations for the **technical equipment** needed for 110 km of border continue as 141 million euros have already been allocated by the EU for this.

Gibraltar is stuck in post-Brexit limbo with the UK and Spain at loggerheads over who should check the passports of people arriving at the British enclave's airport.

Russia's Kursk region is to spend 3.2 billion rubles ($42.1 million) on building fortifications on the Ukraine border by 5 June 2023 – equivalent to a third of its annual health budget.

RESCUES AND IRREGULAR MIGRATION

The European Commission announced on 13 March it would supply further boats to **Libya**, after the Italian Coast Guard said some 30 people were missing in a Mediterranean Sea shipwreck.

- In 2022, the Libyan coast guard intercepted and returned almost **31,000 people**, up from around 12,000 in 2020. Over 330 have died or gone missing in the attempt across all Mediterranean routes, so far this year.

On 22 and 23 March alone, the **Tunisian Coast Guard** brought ashore as many as 30 boats in distress with a total of 2,034 people on board.

On 23 March alone, **the Italian Coast Guard** rescued 750 people 100 miles from Italy in two operations. Pakistanis and Egyptians were among the passengers. One of the boats had departed from Türkiye. Three merchant ships and a Frontex patrol vessel were also on one of the scenes to assist.

Euractiv.com reported that Russia's mercenary **Wagner group** has put a $15 million bounty on Italian Defence Minister Guido Crosetto (FDI/ECR), who blamed the group for causing the increased **migration wave from North Africa to Italy**, this according to the Italian intelligence services.

EU-TÜRKIYE

An NGO claimed that as Türkiye has suspended all readmissions from Greece based on the EU-Turkey deal, the Greek government "**refuses to examine the asylum applications** of many asylum seekers that should, in principle, be returned to Turkey… Their applications are still considered inadmissible. This leaves them

stuck in detention-like camps or in a homeless situation, without any prospects and often devoid of access to services."

MIGRATION AS A NATIONAL CAMPAIGN ISSUE

The **Estonian parliamentary election** took place on 5 March 2023. Immigration and the reception of Ukrainian refugees emerged as focal points during the election campaign. Martin Helme and his party, EKRE (ID) were the first to raise the issue, arguing that the Ukrainian war refugees could destabilise the national health system, restrict housing opportunities for young people, and deprive the domestic population of employment. PM Kaja Kallas from the Reform Party (Renew Europe) endorsed a more welcoming approach, emphasising the contributions that Ukrainian immigrants make to Estonia and the need for an open and inclusive society. The Isamaa Party (EPP) introduced the complex question of re-establishing Schengen border controls on the Latvian border to accurately quantify the number of Ukrainian war refugees and Russian immigrants without residence permits entering the country. FM Urmas Reinsalu (EPP) claimed that such a measure was necessary to safeguard Estonia's national security. The election results are here.

US-CANADA

The US and Canada published a 2022 expansion to a **safe country agreement** (concluded in 2002) which provided that anyone who entered the US from Canada and sought asylum could be sent back to Canada, and vice versa. It required migrants to make an asylum claim in the first "safe" country they reached.

- One reason for agreeing the expansion of the agreement was that 'a surge of nearly 40,000 migrants in recent months has taxed Canadian provincial governments'.
- The new accord closes a loophole that allowed migrants to claim asylum at **unofficial ports of entry**.
- According to the *NYT*, rather than being accepted as asylum seekers in Canada, the migrants coming from the US will be returned. Canada, in turn, has agreed to accept 15,000 migrants from Central and South America who are fleeing persecution and poverty, a move intended to ease some of the pressure on the US' southern border…. Migrants will not be allowed to arrive on foot but must pass through Canada's tightly controlled refugee system.

JUDICIAL OBSERVATORY

The European Court of Human Rights ruled that Malta's authorities did not provide sufficient safeguards under the accelerated procedure for an asylum application from a 'safe country'

On 20 December 2022, the European Court of Human Rights ruled in the case S.H. v. Malta (application no. 37241/21) that Malta had violated numerous provisions of the European Convention on Human Rights in the procedure of an asylum application.

The case was filed by a Bangladeshi journalist who fled his country as he feared for his safety due to his work in exposing corruption in the 2018 election process. He

travelled to Libya and from there by boat to Malta in 2019. The Maltese government dismissed his asylum application as "manifestly unfounded", and did not accept two subsequent applications, claiming they did not provide new relevant facts or information.

The applicant complained that Malta failed to properly assess his application claims and argued that the decision to dismiss his application was predominantly based on his nationality, given that Malta considers Bangladesh a "safe country". The applicant posited that a forced return to Bangladesh would amount to a violation of Art. 3 of the Convention (prohibition of torture). Due to the shortcomings of the application procedure, which included the lack of legal assistance and excessively lengthy delays in receiving decisions, he alleged that Malta failed to provide an effective remedy thereby violating Art. 13, taken in conjunction with Art. 3 of the Convention.

The Court agreed with the applicant that Malta has indeed violated his right to an effective remedy. The fast-track asylum procedure the applicant underwent due to the designation of Bangladesh **as a safe country** did not meet legal requirements. Furthermore, it held that return of the applicant to Bangladesh without a fresh assessment of his claim would amount to a violation of Art. 3. The Court declared the claimant's application admissible and decided that the State must pay compensation amounting to a total of EUR 7,000.

MARTENS CENTRE PRODUCTION

A. Nalyvayko, 'Deportations, abductions and forced Russification – the fate of Ukraine's Children of War', Martens Centre blog, 28 March 2023

SELECT EXTERNAL PUBLICATIONS

ICMPD, *Responding to Displacement from Ukraine: Past, Present and Future Policies*, March 2023

Joint Research Centre, *Ukraine's Population Future after the Russian Invasion: The Role for Migration in Demographic Change*, 7 March 2023

C G. Ripley III, *Crisis Prompts Record Emigration from Nicaragua, Surpassing Cold War Era*, Migration Policy Institute, 7 March 2023

A. Nowrasteh et al, *The Fiscal Impact of Immigration in the United States*, Cato Institute, 21 March 2023